

R E M A R K S

Reconsideration of the present application in view of the presented claims (above) and the following remarks is respectfully requested.

In the Office Action the Examiner **(1)** found allowable subject matter relative to claim 4; **(2)** objected to claims 3, 4 and 6 for informal reasons; **(3)** rejected claims 1, 2, 3 and 6 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Application No. 2001/0005409 to Gohn et al. (“the Gohn reference”); and **(4)** rejected claims 5 and 7-8 under 35 U.S.C. 103(a) as being unpatentable over the Gohn reference.

Regarding item **(1)** above, appreciation is expressed to the Examiner for the finding of allowable subject matter with respect to claim 4.

Concerning item **(2)** above, it is respectfully submitted that present claims 3, 4 and 6 effectively traverse the stated objections thereto. Accordingly, reconsideration and withdrawal of all such objections are respectfully requested.

With respect to item **(3)** above, it is respectfully submitted that, contrary to that which has been suggested via the Action, the Gohn reference in fact fails to disclose or suggest every element of at least claim 1. That is, the Gohn reference at least fails to disclose or suggest “a peripheral group of the read-out elements is located in a peripheral region that surrounds the central region” (emphasis added) as recited via claim 1. Rather, in clear contrast, as shown via Fig. 3 of the Gohn reference teaches/suggests two adjacent groups of elements, one on each side of “a central region” (as opposed to surrounding such central region). Accordingly, at least for this reason, reconsideration and withdrawal of the stated 102 rejection relative to claim 1, as well as claims 2, 3 and 6, which claims depend directly from claim 1, are respectfully requested.

Finally, regarding item **(4)** above, it is respectfully noted that to establish a prima facie case of obviousness, the following criteria must be met: (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references; (2) there must be a reasonable expectation of success found in the

prior art, not the applicant's disclosure; and (3) the prior art references must teach or suggest all of the claim limitation(s). M.P.E.P. § 2142. It is further respectfully noted that a "prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention." M.P.E.P. § 2141.02, citing *W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540 (Fed. Cir. 1983), cert. denied, 496 U.S. 851 (1984).

With the foregoing in view, it respectfully submitted that at least because the Gohn reference fails to disclose or suggest, in addition to those elements identified via the Action, "a peripheral group of the read-out elements is located in a peripheral region that surrounds the central region" (as discussed above relative to claim 1), such reference does not teach or suggest all of the limitations of the present pending claims and hence does not qualify to establish a prima facie case of obviousness. Accordingly, reconsideration and withdrawal of the stated 103 rejection relative to claims 5 and 7-8, which claims depend either directly or indirectly from claim 1, are respectfully requested.

In view of the foregoing, it is respectfully submitted that the present claims are patentable, and moreover that the pending application is in condition for allowance. Hence, a Notice of Allowance is respectfully and earnestly solicited.

Respectfully submitted,



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